IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

Crl.MC.No. 1805 of 2007()

CRIME 408/06 OF THOPPUMPADY POLICE STATION
CC.245/2007 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOCHI

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PETITIONER: DEFACTO COMPLAINANT

JOSY, S/O.ANTONY, AGED 36 YEARS,
KOLOTH HOUSE, SAHAKARANA ROAD,
EDAPPALLY VILLAGE, EDAPPALLY, ERNAKULAM
DISTRICT.

BY ADV. SRI.T.MADHU

RESPONDENTS: STATE

THE STATION HOUSE OFFICER,
THOPPUMPADY POLICE STATION,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. M.S. BREEZ

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 13/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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Crl.M.C.No. 1805 of 2007

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Dated this the 13th day of June, 2007

O R D E R

The short grievance of the petitioner is that final report has not been filed in the counter case i.e. Crime No. 408 of 2006 of Thoppumpady police station, though final report has been filed in the main case and the same is pending as C.C. 245 of 2007 before the J.F.C.M.-II, Kochi. The learned Prosecutor, after taking instructions, submits that the grievance of the petitioner cannot any more survive as the investigation in the counter case has already been completed and final report/charge sheet has been filed in Crime No. 406 of 2006 on 28.10.2006 alleging offences punishable, inter alia, under Section 354 I.P.C. and C.C. 1660 of 2007 has been filed before the J.F.C.M.-II, Kochi on the basis of such final report.

2. The learned counsel for the petitioner accepts the above submissions. I am satisfied that this Crl.M.C. does not deserve to continue, the grievance of the petitioner having been redressed.

3. This Crl.M.C. is accordingly dismissed.

(R. BASANT)

tm Judge